

111TH CONGRESS
2D SESSION

S. 3418

To amend the Public Health Service Act to specifically include, in programs of the Substance Abuse and Mental Health Services Administration, programs to research, prevent, and address the harmful consequences of pathological and other problem gambling, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2010

Mr. MERKLEY (for himself, Mr. JOHANNES, Mr. CASEY, and Mr. BROWN of Ohio) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to specifically include, in programs of the Substance Abuse and Mental Health Services Administration, programs to research, prevent, and address the harmful consequences of pathological and other problem gambling, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Comprehensive Prob-
5 lem Gambling Act of 2010”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Problem gambling is a public health dis-
4 order characterized by increasing preoccupation with
5 gambling, loss of control, restlessness or irritability
6 when attempting to stop gambling, and continuation
7 of the gambling behavior in spite of mounting, seri-
8 ous, negative consequences.

9 (2) Over 6,000,000 adults met criteria for a
10 gambling problem last year.

11 (3) The estimated social cost to families and
12 communities from bankruptcy, divorce, job loss, and
13 criminal justice costs associated with problem gam-
14 bling was \$6,700,000,000 last year.

15 (4) Problem gambling is associated with higher
16 incidences of bankruptcy, domestic abuse, and sui-
17 cide.

18 (5) People who engage in problem gambling
19 have high rates of co-occurring substance abuse and
20 mental health disorders.

21 (6) In response to current budget shortfalls,
22 many States are considering enacting or have en-
23 acted legislation to expand legal gambling activities
24 with the intent of raising State revenues.

1 (7) The Substance Abuse and Mental Health
2 Services Administration is the lead Federal agency
3 for substance abuse and mental health services.

4 (8) There are no agencies or individuals in the
5 Federal Government with formal responsibility for
6 problem gambling.

7 **SEC. 3. INCLUSION OF AUTHORITY TO ADDRESS GAMBLING**
8 **IN SAMHSA AUTHORITIES.**

9 Section 501(d) of the Public Health Service Act (42
10 U.S.C. 290aa(d)) is amended—

11 (1) by striking “and” at the end of paragraph
12 (17);

13 (2) by striking the period at the end of para-
14 graph (18) and inserting “; and”; and

15 (3) by adding at the end the following:

16 “(19) establish and implement programs for the
17 identification, prevention, and treatment of patholog-
18 ical and other problem gambling.”.

19 **SEC. 4. PROGRAMS TO RESEARCH, PREVENT, AND ADDRESS**
20 **PROBLEM GAMBLING.**

21 Title V of the Public Health Service Act (42 U.S.C.
22 290aa et seq.) is amended—

23 (1) by redesignating part G (42 U.S.C. 290kk
24 et seq.), relating to services provided through reli-
25 gious organizations and added by section 144 of the

1 Community Renewal Tax Relief Act of 2000 (114
 2 Stat. 2763A–619), as enacted into law by section
 3 1(a)(7) of Public Law 106–554, as part J;

4 (2) by redesignating sections 581 through 584
 5 of that part J as sections 596 through 596C, respec-
 6 tively; and

7 (3) by adding at the end the following:

8 **“PART K—PROGRAMS TO RESEARCH, PREVENT,**
 9 **AND ADDRESS PROBLEM GAMBLING**

10 **“SEC. 597. PUBLIC AWARENESS.**

11 “(a) IN GENERAL.—The Secretary, acting through
 12 the Administrator, shall carry out a national campaign to
 13 increase knowledge and raise awareness within the general
 14 public with respect to problem gambling issues. In car-
 15 rying out the campaign, the Secretary shall carry out ac-
 16 tivities that include augmenting and supporting existing
 17 (as of the date of the support) national campaigns and
 18 producing and placing public service announcements.

19 “(b) VOLUNTARY DONATIONS.—In carrying out sub-
 20 section (a), the Secretary may—

21 “(1) coordinate the voluntary donation of, and
 22 administer, resources to assist in the implementation
 23 of new programs and the augmentation and support
 24 of existing national campaigns to provide national

1 strategies for dissemination of information, intended
2 to address problem gambling, from—

3 “(A) television, radio, motion pictures,
4 cable communications, and the print media;

5 “(B) the advertising industry;

6 “(C) the business sector of the United
7 States; and

8 “(D) professional sports organizations and
9 associations; and

10 “(2) encourage media outlets throughout the
11 country to provide information, aimed at preventing
12 problem gambling, including public service an-
13 nouncements, documentary films, and advertise-
14 ments.

15 “(c) FOCUS.—In carrying out subsection (a), the Sec-
16 retary shall target radio and television audiences of events
17 including sporting and gambling events.

18 “(d) EVALUATION.—In carrying out subsection (a),
19 the Secretary shall evaluate the effectiveness of activities
20 under this section. The Secretary shall submit a report
21 to the President and Congress containing the results of
22 the evaluation.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
24 purpose of carrying out this section, there is authorized

1 to be appropriated \$200,000 for each of fiscal years 2011
 2 through 2015.

3 **“SEC. 597A. RESEARCH.**

4 “(a) IN GENERAL.—The Secretary, acting through
 5 the Administrator, shall establish and implement a na-
 6 tional program of research on problem gambling.

7 “(b) NATIONAL GAMBLING IMPACT STUDY COMMIS-
 8 SION REPORT.—In carrying out this section, the Secretary
 9 shall consider the recommendations that appear in chapter
 10 8 of the June 18, 1999, report of the National Gambling
 11 Impact Study Commission.

12 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the
 13 purpose of carrying out this section, there is authorized
 14 to be appropriated \$4,000,000 for each of fiscal years
 15 2011 through 2015.

16 **“SEC. 597B. PREVENTION AND TREATMENT.**

17 “(a) GRANTS.—

18 “(1) IN GENERAL.—The Secretary, acting
 19 through the Administrator, shall make grants to
 20 States, local and tribal governments, and nonprofit
 21 agencies to provide comprehensive services with re-
 22 spect to treatment and prevention of problem gam-
 23 bling issues and education about problem gambling
 24 issues.

1 “(2) APPLICATION FOR GRANT.—To be eligible
2 to receive a grant under this subsection, an entity
3 shall submit an application to the Secretary in such
4 form, in such manner, and containing such agree-
5 ments, assurances, and information as the Secretary
6 determines to be necessary to carry out this sub-
7 section.

8 “(b) TREATMENT IMPROVEMENT PROTOCOL.—The
9 Secretary shall develop a treatment improvement protocol
10 specific to problem gambling.

11 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the
12 purpose of carrying out this section, there is authorized
13 to be appropriated \$10,000,000 for each of fiscal years
14 2011 through 2015.”.

○